

PROB 12A
(12/88)**United States District Court**

for

Southern District of Ohio**Report on Offender Under Supervision**

Name of Offender: **Audra Ashley** Case Number: **1:00CR00082**

Name of Sentencing Judicial Officer: **The Honorable Susan J. Diott**
United States District Judge

Date of Original Sentence: **January 26, 2001**

Original Offense: **Count One-Theft of Bank Funds, a violation of 18 U.S.C. § 2113(b)**

Original Sentence: **36 month(s) probation**

Special Conditions: **1) 120 days electronically monitored home confinement**
2) Pay \$100 Special Assessment
3) Pay restitution in the amount of \$13,064.32

11-14-01: Amended- Addition of special condition requiring probationer to participate in substance abuse evaluation and treatment

12-01-03: Probation extended by 1 additional year for a total of 4 year(s) until 01-25-05

Type of Supervision: **Probation**Date Supervision Commenced: **January 26, 2001****NON-COMPLIANCE SUMMARY**

The offender has not complied with the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
The probationer shall pay restitution in the amount of \$17,064.32 to Firststar (U.S.) Bank	At sentencing, the Court ordered Ashley to pay restitution in the amount of \$17,064.32 to Firststar (U.S.) Bank. Ashley has a balance of \$14,194.32 as of the date of this report, and will not be able to pay in full during the term of probation.

U.S. Probation Officer Action:

On January 26, 2001, Mrs. Ashley was placed on probation for a period of three years. This officer met with Ashley, and went over the conditions of supervision in detail. Ashley indicated she understood the conditions, including the restitution order, and signed the conditions. This officer set up a payment plan with Ashley for her to pay \$100 a month, which represented her best possible effort, based on her financial situation. During

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the term of supervision, Ashley was cooperative and compliant. She provided access to all requested financial information. She has maintained gainful employment throughout the term of probation and successfully completed her term of electronically monitored home confinement. Additionally, she has paid \$100 a month towards her restitution balance for most of the months since the inception of her supervision. The offender has relocated one time during the course of probation. This officer believes that the underlying offense was strictly situational in nature, and since Mrs. Ashley is no longer employed in a position which affords her direct access to cash, credit cards, business checks, or other financial devices, she presents a very low risk of recidivism.

In examining her financial situation, Mrs. Ashley and her family have struggled to pay their bills. She has few assets other than her current employment and does not have excess cash available to pay the outstanding restitution. Mrs. Ashley will continue making payments throughout the balance of supervision. It is this officer's opinion that Ashley has made her best, good faith effort to satisfy the Court's order of restitution. This officer has notified the Financial Litigation Unit of the U.S. Attorney's Office and Firststar (U.S.) Bank of the situation. It should be noted, that the offender has indicated her willingness to sign a promissory note with Firststar (U.S.) Bank which would obligate her to pay the outstanding balance of restitution after completion of her supervision.


Therefore, based on Ashley's cooperation and effort along with her willingness to sign a promissory note with the victim bank in order to obtain the balance of restitution, this officer is respectfully recommending that no action be taken against Ashley for failure to pay restitution, and allow her to discharge as scheduled on January 25, 2005.

The Court is reminded to mark the box reflecting the Court's decision in this matter and to sign the appropriate location.

Respectfully submitted,
by 
David J. Backman
U. S. Probation Officer
Date: **October 28, 2004**

Approved,
by 
John C. Cole, Supervising
U. S. Probation Officer
Date: **11-2-04**

☒ I concur with the recommendation of the Probation Officer
☐ Submit a Request for Modifying the Condition or Term of Supervision
☐ Submit a Request for Warrant or Summons


Signature of Judicial Officer
November 3, 2004
Date